THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.18456 of 2002

ORAL ORDER:

This writ petition is filed seeking a Mandamus declaring the proceedings of the third respondent dated 21.12.2001 as confirmed by the second respondent by his order dated 27.3.2002 and further confirmed by first respondent by his order dated 16.8.2002 as arbitrary, illegal and consequently direct the respondents to restore the authorisation of the petitioner's fair price shop of Vemuru village and mandal, Guntur district.

It appears, the petitioner was the fair price shop dealer of Vemuru village and mandal, Guntur district. While so, the third respondent along with his staff visited his shop on 30.10.2000 at 4 p.m. and found certain irregularities i.e. variation of 90 kgs. of P.D.S. rice and 70 litres of kerosene, sales registers were not properly maintained and the authorisation was not renewed etc. Thereafter, the Deputy Tahsildar, Enforcement has conducted a detailed enquiry and submitted a report to the third respondent. On the basis of the said report, as many as four charges were framed against the petitioner and after conducting a detailed enquiry into the matter, and after affording opportunity to the petitioner, the third respondent cancelled the authorisation of the petitioner holding that the charges framed against the petitioner were proved. Aggrieved by the same, petitioner filed appeal before the second respondent. The second respondent by order dated 27.3.2002 dismissed the said appeal confirming the order passed by the third respondent. Aggrieved by the same, petitioner further carried the matter in revision before the first respondent and the first respondent by order dated 16.8.2002 dismissed the revision by confirming the orders passed by respondents 2 and 3. Aggrieved by the same, the present writ petition

is filed.

Insofar as charge Nos.1 and 2 framed against the petitioner are concerned, they are very specific and proved in full on the basis of the record and the report. Insofar as charge No.3 is concerned, the dealer herself stated that she has forgotten to file renewal application within time. From all this, it cannot be said that the petitioner is innocent or she was not given any opportunity to defend herself.

I am of the opinion that the order passed by the third respondent dated 21.12.2001 as confirmed by the second respondent by his order dated 27.3.2002 and further confirmed by first respondent by his order dated 16.8.2002 does not call for any interference by this Court under Article 226 of the Constitution of India. The writ petition is devoid of merits and liable to be dismissed.

The writ petition is accordingly dismissed. No order as to costs.

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C.V.RAMULU,
J

Date: 19.10.2006

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THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.18456 of 2002

19.10.2006

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.18456 of 2002

Date: 19th October, 2006

Between:

V.Sarojini

.. Petitioner

And

The District Collector,
Guntur & others.

.. Respondents